



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

January 19, 2024

VIA ECF

The Honorable Vernon S. Broderick
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Andrew Franzone, 21 Cr. 446 (VSB)*

Dear Judge Broderick:

The Government submits this letter in brief response to the defense letter dated January 5, 2024 (Dkt. 106). The Government has reviewed the publicly-available materials referenced in that letter regarding the FF Fund's Coreweave investment as well as the Securities and Exchange Commission ("SEC") action involving Gregory Hersch. The Government has also conferred with defense counsel and has conveyed, in substance, that the Government is not in possession of any documents from the bankruptcy proceeding apart from what has been filed on the public docket. Similarly, the Government does not presently have access to the SEC's investigative file regarding Mr. Hersch. Accordingly, the Government does not have any additional materials to produce to the defense at this time, but will produce any *Brady* material it does receive promptly.

The Government remains available to address any additional questions the Court may have on these issues.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: 
Kiersten A. Fletcher
Assistant United States Attorney
Tel.: (212) 637-2238

Cc: Counsel (by ECF)